REMARKS

This is in response to the Office Action that was mailed on August 31, 2006. The feature recited in claim 2 is incorporated into independent claims 1 and 9. Claim 2 is accordingly cancelled, without prejudice. No new matter is introduced by this Amendment. Entry of this Amendment – in order to place the application into condition for allowance or into better condition for appeal – is earnestly solicited. With this Amendment, claims 1, 4-10, and 12-15 remain pending in the application.

Applicants gratefully acknowledge a telephonic interview granted by Examiner Truong on November 28, 2006, in which their representative presented the amended claims to the Examiner and indicated the manner in which the amended claims distinguish over the prior art. Examiner Truong courteously explained that the application has just been assigned to him, and that he did not yet have sufficient familiarity with the details of the application to justify detailed consideration in the absence of a formal response. Examiner Truong suggested that Applicants formally file the amended claims and their arguments, and indicated that he would give appropriate consideration to the amendments and arguments in due course.

Claims 1, 2, 4-10, and 12-15 stand rejected under 35 USC § 102(e) as being anticipated by US 6,822,782 B2 to Honeyman et al. and by US 2005/0168799 A1 to Whitesides et al. The rejections are respectfully traversed.

The previous Examiner had argued as follows: "Applicants are directed to column 30, lines 9-26 [of US 6,822,782 B2], wherein patentees disclose the materials useful [for] forming the shell or wall of the microcapsule. These materials include the anionic resins with an acid group, the same resins as used by Applicants".

Applicants agree that Honeyman et al. and Whitesides et al. disclose materials (e.g., monomers) with an acid group that are useful for forming resins. However Honeyman et al. and Whitesides et al. do not teach or suggest crosslinking or curing a resin having an acid group using the acid group. The Honeyman et al. disclosure and the Whitesides et al. disclosure does

not recognize the technical significance or important role of crosslinking or curing for a capsule wall encapsulating a specific dispersed phase.

The Honeyman et al. and Whitesides et al. disclosures fail to disclose or suggest not only anionic resins having an acid group or a salt thereof but also a wall formed by crosslinked or cured anionic resins as presently claimed. Thus, the presently claimed subject matter would is neither taught (§102) nor motivated (§103) by Honeyman et al. or by Whitesides et al.

These two references do disclose some materials such as acrylic acid and methyl vinyl ether-maleic anhydride along with other various non-acidic monomers for the capsule wall. However, as is apparent from the fact that both references are silent as to both (i.) the acid value of the wall resin and the technical significance thereof in relation to crosslinking or curing, and (ii.) crosslinking or curing of the wall resin, the relationship between the specific acid value, and encapsulation and/or crosslinking (or curing) of the wall resin is not motivated by these references. This is in contrast to the present invention, in which claim 1 requires "the [microcapsule] wall is formed with an anionic resin having an acid group or a salt thereof having, in the free acid form, an acid value of 20 to 400 mgKOH/g, and ... the resin constituting the [microcapsule] wall is crosslinked or cured with the use of the acid group of said anionic resin".

The lack of relevance of the references is also understandable from the fact that Honeyman et al. and Whitesides et al. actually form their capsule walls with gelatin in their Examples.

As explained above, the USPTO has failed to establish a *prima facie* case of obviousness based upon either the Honeyman et al. or the Whitesides et al. reference. In any case, however, the present invention provides unexpected advantages. That is, since the cited references form capsules without crosslinking or curing the resin of the capsule wall, the strength of the microcapsule walls is insufficient to provide microcapsules that are stable for long periods of time while encapsulating coloring agents dispersed in an oil phase. In contrast, in accordance with the present invention, since the resin (having the specific acid value) of the capsule wall is crosslinked or cured by use of the acid group of the wall resin, strength of the microcapsule is remarkably improved. Moreover, the acid group of the resin aids the formation of capsules and the resultant capsule walls maintain both the dispersion state of the capsule contents and the

capsule itself stable for a long period of time, without dissolution of the resin into the oil phase and without leakage of the oil phase. These unexpected results are not foreshadowed by either the Honeyman et al. disclosure or the Whitesides et al. disclosure.

In view of the above amendments and remarks, Applicants believe that the pending application is in condition for allowance. If there are any questions concerning this application, please contact Applicants' representative, Richard Gallagher (Reg. No. 28,781), at (703) 205-8008.

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Respectfully submitted,

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